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03/05/2010

INVENTOR: RAYMOND HESLINE
SERIAL NUMBER: 10/553,132
FILED: 10/14/2005
GROUP ART UNIT: 2872
EXAMINER: DEREK S. CHAPEL
TITLE: OPTICAL ISOLATOR, ATTENUATOR, CIRCULATOR AND SWITCH

By Facsimile 571-273-8300

February 26, 2010

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
United States of America

Dear Sir,

Supplementary Amendment under 37 C.F.R. § 1.116(c)

The following is a supplementary response to the Advisory Action
mailed February 16th, 2010.

The Supervisory Patent Examiner's logic that an applicant's own work may qualify as prior art under 35 USC 102(b), and therefore may qualify as prior art under 35 USC 103(a), is unfounded. Applicant has already shown in his response of 10/22/2009 that the work of the same inventor may not be considered prior art against the claims of an application unless the work falls under one of the statutory categories of 35 USC 102. As 5,864,428 does not fall under any of these categories, 5,864,428 (Hesline) may not be cited in rejections re Zhao and Hesline, Liu and Hesline and Pan and Hesline.

Yours sincerely,
03/05/2010*R. ML*

Ray Hesline
INVENTOR